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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,716	03/22/2004	Pratik M. Mehta	16356.844 (DC-05928)	9212
27683 7590 03/14/2007 HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			EXAMINER PATEL, ANAND B	
			ART UNIT 2116	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/14/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/805,716

Applicant(s)

MEHTA ET AL.

Examiner

Anand Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,6,8-13,15-18,20-23,25,26,28,30,31,33-35,37-39 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,8-13,18,20-23,25,26,28,30,31,33-35,39 and 41-43 is/are rejected.
- 7) ☒ Claim(s) 15-17,37 and 38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Amendment filed 2/6/07 has been entered and as such claims 1, 8-11, 15-17, 21, 23, 30-31, 33, 37-38, 42 are amended and claim 32 is canceled.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 8-13, 18, 20-23, 25, 30-31, 33-35, 39, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 6901276 to Skinner et al (hereinafter Skinner) in view of Rudis.

- As per claims 1, 23, Skinner discloses an information handling system (IHS) comprising:
  - A system processor (450);
  - A memory (490) coupled to the system processor (figure 4);
  - A wireless section (420), coupled to the system processor (figure 4), which is powered up to detect the presence of a wireless network external to the IHS (515; column 7, lines 7-21) while the system processor remains in a reduced power state (505; column 7, lines 15-17).

Skinner fails to disclose an indicator. Rudis teaches an indicator (page 1, paragraph 4), coupled to the wireless section (display is contained in the device itself), to provide an indication to the user that a wireless network is present with which the IHS can communicate (page 1, paragraph 4). An advantage of the system taught by Rudis is the ability to detect wireless activity within a certain range (page 1, paragraph 2; page 3). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Skinner with the indicator as taught by Rudis.

Motivation to modify is to reduce hardware requirements and increase security.

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- As per claims 3, 25, Skinner discloses wherein the reduced power state is a suspend state (column 7, lines 9-12).
  - As per claims 8, 30, Rudis teaches actuating a scan switch to commence powering up the wireless section (page 1, paragraph 5).
  - As per claim 9, Skinner discloses powering up the wireless section in response to a wake command (column 8, lines 26-28; inherent that a signal is sent to 422 to wake it from the sleep mode).
  - As per claims 10, 31, Skinner discloses including providing power to both the wireless section and at least one section of the IHS from a common power source (battery within 90).
  - As per claims 11, 33, Skinner discloses wherein the wireless section and the system processor are situated in a common housing (figures 2, 4).
  - As per claims 12-13, 34-35, Rudis teaches wherein the indicator is an LED (page 1, paragraph 4).
  - As per claims 18, 39, Rudis teaches wherein powering up the wireless section is performed with auxiliary power (page 1, paragraph 4).
  - As per claims 20, 41, Rudis teaches wherein the indication is variable (page 1, paragraph 4).
  - As per claims 21, 42, Skinner discloses wherein the powering up a wireless section step is performed at predetermined times (column 7, lines 18-37; column 8, lines 23-26).
  - As per claims 22, 43, Skinner discloses wherein the predetermined times include fixed time intervals (column 8, lines 23-26).
4. Claims 4, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner in view of Rudis and US Patent No 7079830 to Critz et al (hereinafter Critz).
- As per claims 4, 26, Skinner and Rudis fail to disclose a wireless card. Critz teaches wherein the wireless section is a wireless card (160) that plugs into the IHS (column 2, lines 57-59). An advantage of the system taught by Critz is the ability to monitor the status of a network connection more efficiently (column 1, lines 62-67). It would have been obvious to one of ordinary skill in the

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art at the time of invention to modify Skinner and Rudis with the wireless card as taught by Critz.

Motivation to modify is to cut costs.

5. Claims 6, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner in view of Rudis and US Patent Application Publication No 2004/0097257 to Lee.

- As per claims 6, 28, Skinner and Rudis fail to disclose wherein powering up the wireless section is done prior to booting the IHS. Lee teaches powering up the wireless section prior to booting the IHS (abstract; paragraph 32). An advantage of the system taught by Lee is the ability to reduce power consumption (paragraphs 8-9). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Skinner and Rudis with the specific powering of the wireless section as taught by Lee. Motivation to modify is to cut costs.

#### *Allowable Subject Matter*

6. Claims 15-17, 37-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art fails to disclose or suggest storing profile information in a memory accessible to the wireless section while the system processor remains in the reduced power state or determining if a detected network matches a network included in the profile information while the system processor remains in the reduced power state.

#### *Response to Arguments*

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

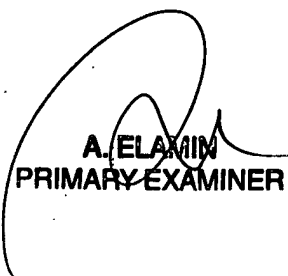
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Patel whose telephone number is (571) 272-7211. The examiner can normally be reached on Mon-Fri 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ABP



**A. ELAMIN**  
**PRIMARY EXAMINER**